



Docket No.: E7900.2044/P2044  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Florian Eisele

Application No.: 10/598,566

Confirmation No.: 7273

Filed: September 5, 2006

Art Unit: 3739

For: NEUTRAL ELECTRODE FOR HF SURGERY

Examiner: L. S. Cohen

**RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed April 16, 2008, Applicant hereby elects Group 1, claims 1-11, drawn to a neutral electrode for continued examination, without traverse. Applicant further elects Species I. At least claims 1-5 are readable on the elected species. The restriction requirement indicates that claim 1 is generic. Accordingly, Applicant believes that claims 1-11 should be examined.

Applicant's election is made without traverse. As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to not more than a reasonable number of species in addition to the elected species as provided by 37 CFR 1.146.

Favorable action on the merits is respectfully requested.

Dated: May 15, 2008

Respectfully submitted,

By 

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